

09/633,541

- 17 -

REMARKS

Claims 62, 65, and 68 have been canceled. Claims 30, 32, 34, 38, 42, 45, 46, 48, 61, 64, 67, 77, 80 and 83 have been amended. Claims 30-48, 61, 64, 67 and 69-108 are pending.

Claims 30, 34, 38, 42, 46 and 48 have been amended to delete the word "about".

Claims 32, 77, 80 and 83 have been amended to correct informalities.

Claim 45 has been amended to recite "antibody or binding fragment thereof." Support for the amended claim is found, for example, at page 31, lines 7-25.

Claims 61, 64 and 67 have been amended to recite "at least 90% nucleotide sequence similarity". Support for the amended claims is found, for example, at page 19, line 35 through page 20, line 6.

The amended claims are supported by the application as filed. Therefore, this Amendment adds no new matter.

ALLOWED CLAIMS

The undersigned thanks the Examiner for indicating that claims 30-48, 65, 69-98 and 102-108 have been allowed.

INTERVIEW SUMMARY

The undersigned thanks the examiner for conducting a telephonic interview on August 23, 2005.

Claims 45, 61-68, and 99-101 and the rejections under 35 U.S.C. § 112 were discussed. The Examiner stated that amending claims 61, 64 and 67 to recite "at least 90% nucleotide sequence similarity..." would obviate the remaining rejections, because the recitation of this structural feature in combination with the binding function currently recited in the claims would be sufficient to meet the written description and enablement requirements of 35 U.S.C. § 112.

09/633,541

- 18 -

Rejections of Claims 61-62, 64, 67-68 and 99-101 Under 35 U.S.C. § 112, First Paragraph

Claims 61-62, 64, 67-68 and 99-101 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. These claims are also rejected as lacking enablement.

Claims 62 and 68 have been canceled, thereby obviating the rejections with respect to these claims.

Claims 61, 64 and 67 have been amended as suggested by the Examiner. These claims, as amended, are supported by an adequate written description and are enabled for the reasons stated previously in Amendment A filed on December 27, 2001 and in the Amendment filed on March 18, 2003 with respect to claims that recite nucleotide sequence similarity and/or claims that recite hybridization conditions. The arguments presented at pages 17-28 of Amendment A filed on December 27, 2001 and pages 18-20 of the Amendment filed on March 18, 2003 are incorporated herein by reference. Specifically, the specification contains adequate written description and enables the subject matter of the amended claims which recite "at least 90% sequence similarity..." in combination with binding function. Accordingly, the written description and enablement requirements of 35 U.S.C. § 112 are satisfied.

Claims 99-101 were rejected only because they were dependent from rejected Claims 61, 64 and 67. As a result of the current amendments, the rejections with respect to Claims 99-101 are obviated.

Reconsideration and withdrawal of the rejection with respect to Claims 61, 64, 67 and 99-101 is requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If


09/633,541

- 19 -

the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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